

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
)	
Policies and Rules Concerning)	CC Docket 94-129
Authorized Changes of)	
Consumers' Long Distance Carriers)	DOCKET FILE COPY ORIGINAL

REPLY COMMENTS OF AMERITECH

Ameritech¹ files its Reply Comments to the Commission's Notice of Proposed Rulemaking ("NPRM") in this Docket.² The NPRM invites comment on proposed Rules governing the form and use of letters of agency ("LOA") used to change end user primary interexchange carrier ("PIC") selection. Ameritech strongly supports the Commission's objective of reducing consumer complaints of "slamming" and the use of "potentially misleading and confusing" practices.³ However, Ameritech is concerned that the proposed Rules, as drafted, could result in unintended slamming in areas where customers have more than one PIC selection ("multi-PIC").⁴ The problem could manifest itself by an end user customer signing an LOA thinking they were only changing their interLATA PIC, but the

¹ Ameritech means: Illinois Bell Telephone Company, Indiana Bell Telephone Company, Incorporated, Michigan Bell Telephone Company, The Ohio Bell Telephone Company, and Wisconsin Bell, Inc.

² Released November 10, 1994.

³ NPRM ¶ 1-2.

⁴ For example, separate PIC choices for domestic inter and intraLATA or international.

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interexchange carrier changing the end-user's international, interLATA and/or intraLATA PICs, thereby thwarting the end user's intentions.

Ameritech joins General Communications and GTE Service Corporation ("GTE") in recommending that the Commission address multi-PIC in this docket and adopt rules that ensure that subscribers are not misled.

Multi-PIC is not an hypothetical issue. General Communications and GTE established the Alaska⁵ and Hawaii⁶ situations. In the Ameritech Region, a multi-PIC methodology has been selected by one state commission for implementation in 1996;⁷ is being seriously considered by another;⁸ and is proposed in a third state.⁹ For this reason, Ameritech believes that the Commission should not defer this issue, but should act now to revise its proposed Rules to accommodate multi-PIC.

The Commission's proposed Rules requires that all LOAs state "the subscriber understands that only one interexchange carrier may be designated as the subscriber's primary interexchange carrier for any telephone number

⁵ General Communications at 3.

⁶ GTE at 3.

⁷ See, Public Service Commission of Wisconsin Docket No. 05-TI-119, (Phase III) Findings of Fact, Conclusions of Law and Third Final Order, July 7, 1994.

⁸ See, Michigan Public Service Commission Case No. U 10138 (Remand), Opinion and Order released February 24, 1994.

⁹ See, Illinois Commerce Commission Cases 94-0096, 94-0117, 94-146 and 94-301 Consol., Hearing Examiner's Proposed Order released January 24, 1995.

and that the selection of multiple carriers will invalidate all such selections.”¹⁰ While the Rule is valid and necessary in areas where only 1 PIC option is offered, it is inconsistent with multi-PIC. In fact, its use in multi-PIC areas would inadvertently mislead subscribers into believing that they do not have multi-PIC options or that all their PICs must be changed to the same interchange carrier. For this reason, the Commission’s Rules should require that where multi-PIC is in use, promotional material and LOAs advise subscribers (i) of their multi-PIC options, (ii) the traffic governed by each PIC, (iii) that they may select different carriers for each PIC, and (iv) that they may change one PIC without changing their other PIC(s). The LOA should also separately state each of the end user’s PIC choices and require a separate signature for each PIC selection.

If an interexchange carrier wishes to use a single promotional package or LOA for both 1-PIC and multiple-PIC areas, the Commission’s Rules could specify that where only one PIC change is specified in the LOA in a multiple-PIC area, that unless the LOA specifically specifies otherwise, that PIC change is automatically limited to the customer’s interLATA PIC or its PIC that incorporates its interLATA traffic. In cases where the customer has separate intra and interstate interLATA PICs, the change will be assumed to be limited to the customer’s interstate, interLATA PIC, or its PIC that incorporates that traffic.

¹⁰ NPRM Proposed Rule 64.1150 (d)(4).

See Attachment 1 for proposed rule changes incorporating Ameritech's recommendation. Ameritech requests that the Commission adopt its proposed Rules subject to the recommended revision in Attachment 1.

Respectfully submitted,



Larry A. Peck
Michael J. Karson
Attorneys for Ameritech
Room 4H86
2000 West Ameritech Center Drive
Hoffman Estates, IL 60196-1025
(708) 248-6082

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Delete proposed 64.1150(d)(4)

Add 64.1150(f)

In situations where an end-user has multiple primary interexchange carrier ("PIC") options available, (e.g., international, domestic interLATA, and/or intraLATA) a separate PIC choice and signature line is required for each PIC choice being changed. Any promotional and related material must clearly explain the characteristics of the traffic associated with each PIC choice and the end user's right to select or retain different carriers for each PIC choice. If only one PIC choice is offered on a letter of agency, without a description of what traffic type is being addressed, it will relate only to domestic interLATA traffic or the PIC choice that incorporates that traffic. In the case where the end user has separate inter and intrastate PIC selections, unless otherwise specifically specified, a single PIC selection on an LOA will relate only to the domestic interstate, interLATA traffic or the PIC choice that incorporates that traffic.

CERTIFICATE OF SERVICE

I, Linda J. Jeske, do hereby certify that copies of the foregoing Reply
Comments of Ameritech were sent via first class mail, postage prepaid, this 8th
day of Feb., 1995 to the parties of record in this matter.

By: 
Linda J. Jeske